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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

LUCY REED

CIVIL ACTION NO. 08-306

VERSUS

JUDGE MELANÇON

VINCENT SYKES, SR, ET AL

MAGISTRATE JUDGE METHVIN

ORDER

Having been advised that a surgical recommendation has been issued in this case and that plaintiff has not achieved maximum medical improvement, it is

ORDERED that all pre-trial deadlines, the bench trial scheduled for July 20, 2009, and the pre-trial conference scheduled for June 17, 2009 at 11:00 a.m. are **UPSET**.

IT IS FURTHER ORDERED the Clerk of Court administratively terminate this action in his records without prejudice to the right of the parties to file a joint motion to reopen the proceedings against defendants within one year from the date of this Order or within ten (10) days after plaintiff has reached maximum medical improvement whichever occurs first. If such a motion is filed, the parties are to concurrently submit a joint proposed plan of work, using the Court's usual scheduling order as a guide, as to any matters which require deadlines imposed in order to prepare this case for trial. If the parties are unable to reach an agreement that plaintiff has reached maximum medical improvement, a joint motion to have the matter set for hearing shall be filed and each party shall state the position taken on the matter and the reasons therefor. The parties are to continue to conduct such discovery as may be possible and to exchange such documents or things as are necessary and appropriate as if this Order of Administrative Termination had not issued in order for the trial date to be reset as soon as practically possible once


plaintiff has reached maximum medical improvement.

IT IS FURTHER ORDERED that in the event that the plaintiff has not achieved maximum medical improvement within one (1) year of the date of this Order, the parties are to file a joint motion for a status conference.

IT IS FURTHER ORDERED that all pending motions are **DENIED AS MOOT**.

This order shall not be considered a dismissal or disposition of this matter, and should further proceedings in it become necessary or desirable, any party may initiate such motion as if this order had not been entered.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 28th day of April, 2009.



Tucker L. Melançon
United States District Judge